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U.S. Department of Homeland Security
Bureau of Citizenship and Immigration Services

ADMINISTRATIVE APPEALS OFFICE
425 Eye Street N.W.
BCIS, AAO, 20 Mass, 3/F
Washington, D.C. 20536

File: [REDACTED] Office: Vermont Service Center

Date: JUN 03 2003

IN RE: Petitioner:
Beneficiary:

Petition: Petition for Special Immigrant Religious Worker Pursuant to Section 203(b)(4) of the Immigration and Nationality Act (the "Act"), 8 U.S.C. § 1153(b)(4), as described at Section 101(a)(27)(C) of the Act, 8 U.S.C. § 1101(a)(27)(C)

ON BEHALF OF PETITIONER:

INSTRUCTIONS:

This is the decision in your case. All documents have been returned to the office that originally decided your case. Any further inquiry must be made to that office.

If you believe the law was inappropriately applied or the analysis used in reaching the decision was inconsistent with the information provided or with precedent decisions, you may file a motion to reconsider. Such a motion must state the reasons for reconsideration and be supported by any pertinent precedent decisions. Any motion to reconsider must be filed within 30 days of the decision that the motion seeks to reconsider, as required under 8 C.F.R. § 103.5(a)(1)(i).

If you have new or additional information that you wish to have considered, you may file a motion to reopen. Such a motion must state the new facts to be proved at the reopened proceeding and be supported by affidavits or other documentary evidence. Any motion to reopen must be filed within 30 days of the decision that the motion seeks to reopen, except that failure to file before this period expires may be excused in the discretion of the Bureau of Citizenship and Immigration Services (Bureau) where it is demonstrated that the delay was reasonable and beyond the control of the applicant or petitioner. *Id.*

Any motion must be filed with the office that originally decided your case along with a fee of \$110 as required under 8 C.F.R. § 103.7.



Robert P. Wiemann, Director
Administrative Appeals Office

DISCUSSION: The immigrant visa petition was denied by the Director, Vermont Service Center. An appeal was dismissed by the Associate Commissioner for Examination, now the Administrative Appeals Office (AAO). A subsequent motion to reopen was dismissed by the AAO. The matter is again before the AAO on motion to reopen. The motion will be rejected.

The petitioner filed a Form I-360 Petition for Amerasian, Widow or Special Immigrant on January 15, 1998, seeking classification as a special immigrant religious worker. The petition was denied on its merits by the center director on July 21, 1998. A timely appeal was dismissed by the Associate Commissioner for Examinations on May 3, 2000. A subsequent motion was filed on June 10, 2000 and dismissed on October 23, 2001. The instant motion to reopen/reconsider was filed on April 26, 2002 more than six months after the most recent decision in this matter.

According to 8 C.F.R. § 103.5(a)(1)(i), a motion must be filed within thirty days of the decision. The motion in this matter was untimely filed.

ORDER: The motion is rejected.